

**Senate File 2314 - Introduced**

SENATE FILE 2314  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 2157)

**A BILL FOR**

1 An Act regulating the use of drones and unmanned aircraft, and  
2 providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1. NEW SECTION.   **801C.1 Definitions.**

2     As used in this chapter unless the context otherwise  
3 requires:

4     1. "*Drone*" means any powered aerial vehicle that does not  
5 carry a human operator, uses aerodynamic forces to provide  
6 vehicle lift, can fly autonomously or be piloted remotely,  
7 can be expendable or recoverable, and can carry a lethal or  
8 nonlethal payload.

9     2. "*Unmanned aircraft*" means an aircraft that is operated  
10 without the possibility of direct human intervention from  
11 within or on the aircraft.

12     Sec. 2. NEW SECTION.   **801C.2 Restrictions on gathering**  
13 **evidence.**

14     1. A law enforcement agency shall not use a drone or other  
15 unmanned aircraft to gather evidence or other information  
16 pertaining to criminal conduct, or conduct in violation of a  
17 statute, ordinance, regulation, or rule, except to the extent  
18 authorized by a warrant.

19     2. A person, entity, or state agency shall not use a drone  
20 or other unmanned aircraft to conduct surveillance of or to  
21 gather evidence or information related to any person, property  
22 owned by any other person, or a farm or agricultural operation  
23 without the consent of the other person, property owner, or  
24 farm or agricultural operation owner.

25     Sec. 3. NEW SECTION.   **801C.3 Exigent circumstances.**

26     Notwithstanding section 801C.2, a law enforcement agency  
27 may use a drone or other unmanned aircraft when exigent  
28 circumstances exist. For the purposes of this section, exigent  
29 circumstances exist if a law enforcement agency possesses  
30 reasonable suspicion that, under particular circumstances,  
31 swift action to prevent imminent danger to life is necessary.

32     Sec. 4. NEW SECTION.   **801C.4 Remedies.**

33     1. In a civil action an aggrieved party may obtain all  
34 appropriate relief to prevent or remedy a violation of this  
35 chapter.

1        2. Any information obtained or collected in violation of  
2 this chapter shall not be admissible as evidence in a criminal,  
3 civil, or administrative proceeding.

4 EXPLANATION

5           The inclusion of this explanation does not constitute agreement with  
6           the explanation's substance by the members of the general assembly.

7 This bill regulates the use of drones and unmanned aircraft.  
8 The bill defines "drone" to mean any powered unmanned  
9 aircraft that does not carry a human operator, uses aerodynamic  
10 forces to provide vehicle lift, can fly autonomously or  
11 be piloted remotely, can be expendable or recoverable, and  
12 can carry a lethal or nonlethal payload. The bill defines  
13 "unmanned aircraft" to mean an aircraft that is operated  
14 without the possibility of direct human intervention from  
15 within or on the aircraft.

16 The bill specifies that a law enforcement agency shall not  
17 use a drone or other unmanned aircraft to gather evidence or  
18 other information pertaining to criminal conduct, or other  
19 conduct that violates the law, except to the extent authorized  
20 by a warrant.

21       The bill further specifies that a person, entity, or state  
22 agency shall not use a drone or other unmanned aircraft to  
23 conduct surveillance of or to gather evidence or information  
24 related to any person, property owned by another person, or  
25 a farm or agricultural operation without the consent of the  
26 other person, property owner, or farm or agricultural operation  
27 owner.

28 A law enforcement agency may use a drone or other unmanned  
29 aircraft when exigent circumstances exist. Under the bill,  
30 exigent circumstances exist if a law enforcement agency  
31 possesses reasonable suspicion that, under particular  
32 circumstances, swift action to prevent imminent danger to life  
33 is necessary.

34 The bill provides that any aggrieved party may obtain all  
35 appropriate relief to prevent or remedy a violation of the bill

1 through a civil action.

2     The bill also specifies that any information obtained or  
3 collected in violation of the bill shall not be admissible as  
4 evidence in a criminal, civil, or administrative proceeding.